

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-05 H-01  
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02  
SS-15 USIA-06 ACDA-12 TRSE-00 SY-05 /076 W  
-----014813 261629Z /41

P R 261415Z OCT 77  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC PRIORITY 5550  
AMEMBASSY BONN  
AMEMBASSY WARSAW  
INFO AMEMBASSY BERLIN

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 2758

E.O.11652: GDS  
TAGS: PINR, GW, WB, PL  
SUBJECT: POLISH/WEST GERMAN ESPIONAGE CASE

REF: USBERLIN 2738

1. BEGIN SUMMARY. WITH PARTIAL RESULTS IN, THE BKA AND BERLIN POLICE APPEAR TO HAVE COOPERATED IN A WAY WHICH RESPECTED BERLIN POLITICAL SENSITIVITIES BUT ONLY PARTIALLY ACHIEVED DESIRED RESULTS IN THAT THE KEY DOCUMENTS WERE NOT CAPTURED. IMPLICATIONS FOR FRG-POLISH RELATIONS SHOULD BECOME CLEARER WHEN A DECISION IS REACHED WHETHER TO TRY BONN ECONOMICS MINISTRY OFFICIAL KRETSCHMANN, AND FOR WHAT. WHILE WE FEEL RELEASE OF POLISH DIPLOMATIC PASSPORT BEARER KOLECKI WAS JUSTIFIED, OUR PREFERENCE IN A FUTURE ANALOGOUS CASE BUT WITH BETTER EVIDENCE WOULD BE TO HOLD ON. END SUMMARY.

2. FRG-INTIATED POLICE ACTIONS IN BERLIN HABITUALLY INVITE POST MORTEM INTO (A) THE DEGREE OF POLITICAL PROPRIETY OBSERVED; (B) EFFECTIVENESS OF OPERATIONAL COORDINATION; (C) SUCCESS OF THE OPERATION ITSELF; AND (D) CONFIDENTIAL

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LESSONS FOR FUTURE ACTIONS.

3. OUR MAJOR INITIAL CONCERN IN SUCH CASES IS THAT (A) THE DETENTIONS ARE NOT EFFECTED ON THE BASIS OF A GERMAN ARREST WARRANT ISSUED OUTSIDE OF BERLIN AND (B) THAT THE ARRESTS ARE MADE BY BERLIN AND NOT FEDERAL OFFICIALS.

4. WE FEEL THE KOLECKI/KRETSCHAMNN CAPER WAS EXECUTED IN A MANNER WHICH AT LEAST RESPECTED BERLIN'S OCCUPATION STATUS AND THE LIMITED ROLE THE BKA CAN LEGALLY PLAY HERE. THE TWO BKA OFFICIALS WHO CAME TO BERLIN FOR THE OCCASION WERE CIRCUMSPECT AND STAYED IN THE BACKGROUND. IN ANOTHER SENSE, HOWEVER, THE BKA APPEARS TO HAVE BEEN TOO CIRCUMSPECT IN ITS DEALINGS DURING THE PLANNING STAGE WITH THE BERLIN POLICE, WHO WERE ALLEGEDLY KEPT IN THE DARK UNTIL A DAY OR SO BEFORE THE STAKE-OUT. MEMEBERS OF THE BERLIN STAATSSCHUTZ HAVE GRUMBLED THAT PREPARATIONS WERE HAMPERED THEREBY, AND THAT ADEQUATE PERSONNEL AND PROPERLY CHECKED OUT PHOTOGRAPHIC EQUIPMENT WERE NOT ON SITE AS A RESULT.

5. THE OPERATION ALSO SUFFERED FROM UNEXPECTED COMPLICATIONS AND THE INABILITY OF THE POLICE TO KEEP UP WITH THE CHANGING SITUATION. RATHER THAN MEETING AND MAKING THE TRANSACTION ON THE STREET CORNER AS EXPECTED, THE TWO MEN WENT INTO A NEARBY U-BAHN STATION. STAATSSCHUTZ PERSONNEL DID MANAGE TO FOLLOW THE ACTION TO THE EXTENT OF DETECTING AN EXCHANGE OF BRIEFCASES BY KOLECKI AND KRETSCHMANN INSIDE THE STATION. HOWEVER, DETENTION SEVERAL MINUTES LATER OF BOTH MEN, EACH BEARING A BRIEFCASE, FAILED TO TURN UP THE BRIEFCASE WHICH KRETSCHMANN HAD BEEN OBSERVED CARRYING TO THE MEETING, AND WHICH PRESUMABLY CONTAINED DOCUMENTS. (THE POLICE SPECULATE THAT KOLECKI HAD UPON RECEIPT IMMEDIATELY EXCAHNGED IT WITH A THIRD PEROSN WHO JUMPED ABOARD A DEPARTING U-BAHN TRAIN.)  
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6. THE POLICE AS A RESULT HAD TWO PERSONS IN CUSTODY BUT NO DIRECT EVIDENCE OF ESPIONAGE. EFFORTS TO PHOTOGRAPH THE KOLECKI/KRETSCHMANN EXCAHNGE FAILED. KOLECKI REFUSED TO TAKL EXCEPT TO CLAIM DIPLOMATIC STATUS ANDINQUIRE ABOUT HIS RELEASE.

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L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15  
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-----015335 261629Z /41

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AMEMBASSY BONN  
AMEMBASSY WARSAW  
INFO AMEMBASSY BERLIN

C O N F I D E N T I A L SECTION 2 OF 2 USBERLIN 2758

7. INITIAL IMPRESSIONS THAT KRETSCHMANN HAD MADE A MEANINGFUL CONFESSION TO THE POLICE WERE OVERDRAWN. KRETSCHMANN DID ADMIT TO HAVING BEEN APPROACHED IN BONN BY POLISH TRADE OFFICIAL STANKIEVIC AND AGREEING TO OBTAIN AND PROVIDE MATERIALS TO STANKIEVIC'S FRIEND, DESCRIBED BUT NOT NAMED, ON A STREET CORNER IN BERLIN, KRETSCHMANN'S FAMILY HOME AND BIRTHPLACE. KRETSCHMANN ALSO ADMITTED TO PASSING KOLECKI THE BRIEFCASE, PROVIDED FOR THE PURPOSE BY STANKIEVIC, WHICH KRETSCHMANN ALLEGED CONTAINED REPORTS ON ENERGY MATTERS, INCLUDING COAL LIQUEFACTION. KRETSCHMANN HAS DENIED, HOWEVER, THAT THE MATERIALS WERE CLASSIFIED OR THAT ANY PAYMENT WAS INVOLVED OR INTENDED. IT REMAINS TO BE SEEN WHAT SORT OF CASE CAN BE MADE OF WHAT IS THUS FAR COMPOSED OF CIRCUMSTANTIAL EVIDENCE. KRETSCHMANN IS PRESENTLY BEING HELD IN BERLIN UNDER AN ARREST WARRANT WHILE THE INVESTIGATION WHICH CUSTOMARILY PRECEDES A FORMAL CHARGE CONTINUES INTO THE VARIOUS ASPECTS OF HIS STORY.

8. COMMENT. WE DEFER TO BONN AND WARSAW REGARDING POSSIBLE IMPLICATIONS FOR FRG-POLISH RELATIONS OF A CONFIDENTIAL

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KRETSCHMANN TRIAL. (IT WOULD BE INTERESTING TO KNOW IN THE CONNECTION IF STANKIEVIC IS STILL IN BONN.) THE RATHER PERFUNCTORY POLISH COUNTER PROTEST DELIVERED TO THE USBER PORTOCOL OFFICER OCTOBER 26 (REPORTED SEPTTEL) SUGGESTS THAT WARSAW IS HOPING THE EPISODE WILL DIE QUIETLY.

9. WE FEEL THAT OUR DECISION TO TURN KOLECKI OVER TO THE POLISH MILITARY MISSION (REFTEL) WITH A PROTEST WAS JUSTIFIED ON PRACTICAL AS WELL AS POLITICAL GROUNDS. THE CASE AGAINST HIM, WITHOUT BETTER EVIDENCE AND/OR A MORE WILLING WITNESS IN THE FORM OF KRETSCHMANN, IS WEAK. AT THE SAME TIME, SHOULD WE SOMEDAY NAB A NON-ACCREDITED, DIPLOMATIC-PASSPORT-CARRYING SPY WITH THE GOODS, OUR INTEREST MIGHT DICTATE HOLDING HIM--POSSIBLY FOR TRIAL BUT AT LEAST LONGER

THAN THE EIGHT HOURS OR SO REQUIRED TO PROCESS A TURNOVER.  
WE FULLY REALIZE THE VARIETY OF CONSIDERATIONS WHICH MIGHT  
ARISE IN EACH CASE, AND THE NEED FOR OBTAINING DEPARTMENT  
AND ALLIED CONCURRENCE AS WELL AS OTHER POSTS' VIEWS IN  
SUCH A CONTINGENCY. END COMMENT. GEORGE

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